



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 22, 2010, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:02 p.m.

The following were present:

- Mayor Billy Bain
- Vice Mayor Dan Espino
- Councilwoman Jennifer Ator
- Councilman George V. Lob

Absent: Councilman Bob Best

Also Present:

- City Manager James R. Borgmann
- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Finance Director William Alonso
- Public Works Director Robert T. Williams
- City Clerk Magalí Valls

2. Invocation: Mayor Bain offered the invocation

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Presentation by Post, Buckley, Schuh & Jernigan (PBS&J) Regarding the Basin 35 Project

City Manager Borgmann stated that representatives from Post, Buckley, Schuh & Jernigan (PBS&J) would make a presentation regarding the Basin 35 Project.

Greta McLoughlin stated that she and Project Manager Tom Nogaj of PBS&J would present a solution to the Basin 35 Drainage Project that is in compliance with the Department of Environmental Resources Management (DERM) regulations.

Project Manager Tom Nogaj explained changes that were made to the design to accommodate all of DERM's responses and questions. After meeting with DERM to review the solution, they have agreed with the approach in terms of being a viable solution.

Mr. Nogaj referred to a layout of Basin 35 pointing out the existing French drain on the Golf Course and the solid drainage pipe going north. They will take advantage of the current infrastructure in place and replace the perforated pipe with solid pipe as directed by DERM. A pump station will be installed to remove water from the Golf Course and pump it across Curtiss Parkway to a French drain along Eldron Drive. The key is that the new French Drain is outside of the "ten-day travel time" within the well field.

City Manager Borgmann explained the difference between a "ten-day and 30-day travel time", which is the time it takes the groundwater to reach the water table through natural means, percolation, etc. He said that DERM would not approve of the French drains allowing the water to go further down faster. The solution will take the water outside of the ten-day travel zone and put it into the 30-day travel zone.

Mr. Nogaj stated that the perforated pipe behind the houses on Hunting Lodge Drive would be removed and reused in conjunction with the new French drain. The pipe going into the canal is already solid.

To answer Vice Mayor Espino's question, Mr. Nogaj estimated that construction could begin by August or September after the drawings are approved.

City Manager Borgmann explained that the City could use the current contractor that is familiar with the job by approving a change order to the existing contract or the additional work could be put out to bid separately. The cost is approximately \$293,000; the cost for the pump is \$68,000.

Mayor Bain stated that Staff will negotiate the cost.

City Attorney Seiden said that the Finance Director is reviewing the estimates and they will meet with PBS&J to determine the credits or debits. The information will be brought back to Council in a complete form that can be voted on from a financial standpoint and consideration of whether or not it would be beneficial to retain the current contractor or go out for bid.

4. Open Forum:

Springs River Festival: Clean-up

Carl Malek of 172 Curtiss Parkway, Springs River Festival Committee member, stated that the Boy Scout Troops and the Lions Club hold a clean-up along the canal bank every year. He would like to expand the project and have volunteers walk around the City streets to pick up trash. He knows that the Public Works Department has a good clean-up crew, but they cannot be everywhere at the same time.

Basin 35 Drainage Project

Bob Schwinger of 630 Cardinal Street asked why there was a problem with the drainage improvements adjacent to the Golf Course Driving range and north of Hunting Lodge. He wonders who is going to pay the extra \$293,000 to complete the job.

Mayor Bain explained that the project was designed with the wrong type of pipe and the City will be negotiating the additional cost with Post Buckley Schuh & Jernigan, Inc.

5. Approval of Council Minutes: (5A and 5B simultaneously approved)

5A) 02/08/2010 – Regular Meeting

Minutes of the February 8, 2010 Regular Meeting were approved as written.

Councilman Lob moved to approve. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

5B) 02/09/2010 – Special Meeting

Minutes of the February 9, 2010 Special Meeting were approved as written.

Councilman Lob moved to approve. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 01/21/2010 – Historic Preservation Board – Minutes

Minutes of the January 21, 2010 Historic Preservation Board meeting were received for information without comment.

6B) 01/26/2010 – Ecology Board – Minutes

Minutes of the January 26, 2010 Ecology Board meeting were received for information without comment.

6C) 02/03/2010 – Architectural Review Board – Minutes

Minutes of the February 3, 2010 Architectural Review Board meeting were received for information without comment.

6D) 02/09/2010 – Recreation Commission – Minutes

Minutes of the February 9, 2010 Recreation Commission meeting were received for information without comment.

6E) 02/10/2010 – Architectural Review Board – Minutes

Minutes of the February 10, 2010 Architectural Review Board meeting were received for information without comment.

6F) 02/11/2010 – Board of Parks and Parkways – Minutes

Minutes of the February 11, 2010 Board of Parks and Parkways meeting were received for information without comment.

6G) 02/16/2010 – Education Advisory Board – Minutes

Minutes of the February 16, 2010 Education Advisory Board meeting were received for information without comment.

7. Public Hearings:

7A) Second Reading – Ordinance No. 989-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-070, CBD, Central Business District; by Adding Another Allowed Use to Subsection (B) of the Code Section; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 2/8/2010 – Advertised: 2/10/2010)

City Attorney Jan K. Seiden read the ordinance by title and stated that this is the second reading and public hearing on the proposed ordinance. As requested by Council at the first reading, language was added to Section B stating that no more than two family restaurants/arcades shall be permitted in the Central Business District.

Mayor Bain opened the public hearing to those persons wishing to speak.

Bob Schwinger of 630 Cardinal Street commented that arcades and billiard halls were prohibited in

the zoning code, but the intent of the proposed ordinance is to allow a business that is prominently a restaurant with an adjacent arcade.

City Attorney Seiden stated for the record that arcades and other uses are still prohibited under the Section.

There were no additional speakers and the public hearing was closed.

Councilwoman Ator moved to adopt Ordinance No. 989-2010. Councilman Lob seconded the motion which was carried 4-0 on roll call vote.

8. Consent Agenda:

8A) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$14,255.14, to Purchase Uniforms, from Florida Police Products, Pursuant to Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option Provided by the City's Existing Contract/Contract Vendor for an Additional One Year Period, to be Paid from the Police Department Uniform Account

There was no discussion regarding this item.

Councilwoman Ator moved the consent agenda. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

Vice Mayor Espino (Group II) **re-appointed** Ernie Aloma to the Board of Adjustment/Zoning and Planning Board for an unexpired term ending on April 30, 2010.

Councilman Lob (Group III) **confirmed the appointment** of Juan A. Calvo to the Architectural Review Board for an unexpired term ending on October 31, 2010.

9B) Consideration of Request for Qualifications Process for a Firm to Provide Help in Implementing Improvements to the Downtown and N. W. 36th Street Areas

City Manager Borgmann stated that this item is a consideration of the draft of the Request for Qualifications for the Downtown improvements consultant. He provided a complete scope of services and some of the details that must be understood and known by those people who will be submitting their qualifications to serve in this capacity.

City Manager Borgmann explained that Councilwoman Ator brought up the fact at the last meeting that the Architectural Review Board might like to take a look at the draft RFQ and provide their input. He asked Council for additional input and whether or not they would like the Architectural

Review Board to review the draft.

Bob Schwinger of 630 Cardinal Street stated that he had been a proponent of the City hiring a professional firm for the last ten years. He feels that most of the regulations were established many years ago and the City is at least twenty years behind on rejuvenating the town. He would like to concentrate on the Central Business District, N. W. 36th Street and the Airport area around Curtiss Parkway and Eldron Drive. He suggested selecting a firm with good experience throughout the State that has a proven track record and can show before and after examples of various communities.

City Manager Borgmann commented that the qualification section on the last page of the draft asks to provide the following, as a minimum, with emphasis on success rates for specific projects:

- Graduate degree in city, county, regional planning or five years increasingly more responsible experience. In the case of a firm responding to this RFQ please provide information for both the principals of the company and the qualifications of the Staff that may be assigned to the project.
- Experience in and knowledge about public budgeting and finance.
- Experience in and knowledge about program development and management.
- Experience in and knowledge about economic analysis and development.

Councilwoman Ator stated that Vice Mayor Espino had specifically requested that there be experience in urban planning and design and she had requested specific architectural experience.

Vice Mayor Espino suggested an additional bullet point requesting experience in and knowledge of architectural design and urban planning and design.

City Attorney Seiden asked Council to consider how the RFQ should be administered and how they would like the process to run. He would assume that Council would want to hear the presentations directly.

Mayor Bain explained that the process should be similar to what was done for the Community Center project. The top five could be selected who would make presentations to Council.

City Attorney Seiden asked if Council wanted the Administration to form a committee to eliminate some from consideration and select the top five or ten.

Vice Mayor Espino would like the presenters to be able to show the work they have done. He said that it helps to see and hear their accomplishments, as well as see their faces and how they come across with their ideas.

City Attorney Seiden explained that Council could be the screening agency, receive copies of all the submissions and then vote on a certain number of people or firms that they would like to hear from first, pending negotiation of an agreement.

Mayor Bain felt that the process would depend on how many responses to the RFQ are received.

City Attorney Seiden asked if Council wanted to review and rank all the responses or if they would rather form an administrative committee to rank them and Council would decide how many they would like to hear from.

To answer Councilwoman Ator's question, City Manager Borgmann explained that an administrative committee narrowed the responses for the Community Center down to five, based on the scale of the design and price. That is the benefit of a design-build; an RFQ does not involve any cost estimates. The selection of Project Manager Bill Sprague also involved a similar screening process.

Mayor Bain would like to limit Council's review to the top five or seven firms.

City Attorney Seiden explained that he asked Council how they wanted to proceed so that the procedures could be included in the RFQ.

Councilwoman Ator asked if all submittals would be public record if someone from the community wanted to review them.

City Attorney Seiden clarified that the submittals do not become public record until the cone of silence is lifted, which will be after the presentations are made to Council.

Councilwoman Ator explained that the Architectural Review Board wanted to be involved in the process of reviewing all the submittals before they are reduced to the final number that are reviewed by Council. She said that if all the submittals were reviewed by Council they would be public record.

City Attorney Seiden stated that the committee could present their recommendations for the top firms and Council would have the opportunity to add any to the list for Council to make the final decision.

City Manager Borgmann said that there could be applicants that do not meet the minimum specifications and the administration could take care of the selection process to that level. If there are several very well qualified they will all come to Council.

Mayor Bain said that if there were twenty responses, Staff would eliminate some based on their qualifications and if there were ten qualified responses, Council could hold two meetings to review the qualifications.

City Attorney Seiden suggested including a provision in the RFQ that Council will make a decision upon receipt of the responses as to how the procedure for screening will take place.

Vice Mayor Espino commented that because of the current economy the RFQ might attract more responses today compared to five years ago. He referred to the Curtiss Mansion restoration bid as an example.

To answer City Manager Borgmann's question, City Attorney Seiden clarified that the Architectural Review Board does not need to review the RFQ document because it does not fall under their jurisdiction. It is an Administrative function.

Councilwoman Ator explained that the Architectural Review Board wanted to be part of the process between the time the responses are received and the time the presentations are made to Council. The limitation is that the information is still in the cone of silence. The compromise is that Council could review a larger number of responses at a public meeting at which time the Architectural Review Board members could respond accordingly.

10. New Business:

10A) Approval of 5-year Extension of Existing Agreement with Martin Outdoor Media on the Bus Bench Advertising Contract Originally Signed on June 1, 2000 and Extended on March 30, 2005

City Manager Borgmann stated that he received a letter from Martin Outdoor Media who has been providing the advertising on seventeen bus benches along N. W. 36th Street for the past ten years. The first year of the contract the amount was \$17.00 per bench, per month, and it increased to \$19.00 per bench in the fifth year. The first, second and third years of the extension agreement the amount remained at \$19.00 per bench, per month, and it increased to \$20.00 in years four and five.

City Manager Borgmann explained that the current agreement is due to expire and they are offering to keep the amount at \$20.00 per bench, per month, for this year and next, the following two years at \$21.00 per bench, per month, and the fifth year at \$22.00 per bench, per month.

Martin Outdoor Media is responsible for maintaining the benches and the litter containers and whenever there is a problem they normally resolve it within one or two days. It is basically the only company that provides this service.

To answer Councilwoman Ator's question, the City Manager clarified that he is requesting approval to enter into another extension agreement under the proposed fee schedule as shown on Exhibit "A".

City Attorney Seiden stated that because it is not certain that Martin Outdoor Media is a sole source, Council approval **will constitute a waiver of competitive bid.**

Councilwoman Ator moved the item. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

10B) Approval of Change Order in the Amount of \$2,200 to Pistorino & Alam Consulting Engineers, Inc. to Cover Additional Threshold Inspections to Close out Project # 09-167 Regarding the Community Center

City Manager Borgmann stated that this item is a request for a change order for the services of Pistorino & Alam who is providing threshold inspection services for the Community Center. They originally estimated \$30,000, the Administration recommended \$35,000 and Council approved \$32,000.

City Manager Borgmann explained that there are additional charges pending and Mr. Sprague believes an increase of \$3,500 for a total amount of \$35,500 should end the contract.

Mayor Bain asked what the extra amount covers and why additional inspections are needed.

City Manager Borgmann responded that the contract is based on hours and he does not believe there was an increase in the scope of their work.

Vice Mayor Espino moved to approve the change order in the amount of \$3,500. Councilman Lob seconded the motion which was carried 4-0 on roll call vote.

10C) Resolution No. 2010-3475 – A Resolution of the City Council of the City of Miami Springs Expressing Opposition to the Passage and the Provisions of Initiative “Amendment No. 4”; Urging Citizens to Vote Against Initiative “Amendment No. 4” on the Election Ballot; Declaring Support of Current Policies and Procedures Governing “Smart Growth” in Florida; Directing the City Clerk to Transmit Certified Copies of this Resolution; Providing an Effective Date

City Attorney Jan K. Seiden read the resolution by title. He informed Council that he revised the resolution that was provided by Sunny Isles Beach to fit the City’s format. The City lobbyist also provided a copy of a resolution from the City of Palm Bay, which is similar.

Councilwoman Ator moved to adopt Resolution 2010-3475. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

10D) Resolution No. 2010-3476 – A Resolution of the City Council of the City of Miami Springs Providing for the Second Amendment of the FY2009-2010 General and Special Revenue Fund Budgets; Providing Increases in the General Government (City Clerk and City Council), Recreation Department, Capital Projects, and Law Enforcement Trust Fund Budgets to Pay for Unbudgeted Authorized Expenditures; Specifying an Increase in the General Fund Miscellaneous Account Budget to Evidence a Refund Credit Received from the

Florida League of Cities; Declaring the Intent and Purpose of the Budgetary Amendments; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Attorney Seiden stated that the second whereas clause is descriptive of all the items that are included in the resolution as listed in numerical format on Attachment "A".

Councilman Lob moved to adopt the resolution. Vice Mayor Espino seconded the motion which was carried 4-0 on roll call vote.

10E) Skate Park Location Discussion

Assistant City Manager Gorland read his memorandum stating that Council requested a discussion regarding two alternatives, the Rio Vista Park and the North Royal/Crane/Ludlum Road area. Both locations appear to be viable from a construction vantage point, however not without pros and cons. Additionally, both sites require surveys, soil borings, site preparation and noise reduction wall construction estimates prior final site determination.

Further complicating the selection process is that the City owns just three of the potential sites discussed to date: Rio Vista Park, the property behind the Library and the Ludlum site. The other potential City owned sites are also located in residential areas such as peripheral areas of the Golf Course and the City Park at Lee and Labaron Drive. Other possible Miami-Dade County owned sites include Peavy-Dove, Dove West, and parking lots along South Royal Poinciana Boulevard.

Rio Vista park site considerations include:

- Residential location
- Low elevation resulting in need to raise the pad height
- Probable need for sound-proofing
- Need for a water fountain
- Availability of restrooms at Peavy-Dove (if attended and the North Royal Poinciana commercial district, both a short distance away)
- Parking availability at both Peavy-Dove and on-site
- Centrally located

Ludlum site considerations include:

- Residential location
- Elevation unknown
- Probable need for sound-proofing
- Need for a water fountain

- No availability of restrooms
- Parking availability
- Not centrally located

In order to develop these sites further, at a minimum, surveys and bore samples are required. The Administration is prepared to have these done for either or both sites on direction of Council, keeping in mind that in the recent past, as soon as surveyors appeared at a potential site in a residential area petitions are circulated to the local area residents.

Councilwoman Ator asked what expense would be involved for surveys and bore samples.

Assistant City Manager Gorland estimated that the cost would be \$1,100 per survey. He explained that the cost of the bore samples is unknown; it depends on how many samples are needed.

City Manager Borgmann stated that he would not recommend doing the borings until the site is determined. Five samples were taken for the Community Center and the cost was approximately \$5,000, including an elevation certificate.

To answer the Mayor's question, Assistant City Manager Gorland said that the recommended size for the skate park is 100' x 100', although it could be 75' x 75'.

City Manager Borgmann felt that the Rio Vista Park site would require a narrower and longer design.

Assistant City Manager Gorland explained that the Rio Vista site is complicated because it involves some private property and an alley. He said that two of the major skate park manufacturers came to look at the location and they both said it is possible to build it at that location.

Councilwoman Ator clarified that she had always supported the Rio Vista Park site since Council began discussing the subject. She felt that the restrooms and the recreation complex at Peavy-Dove brings a lot of advantages.

City Attorney Seiden stated that it is a good idea for the City to have a survey of all properties they own, notwithstanding the skate park issue.

Bob Shultz of 100 Sunset Way felt that the Rio Vista Park site is an irregular site and it would be approximately 135 or 140 feet east and not come anywhere near the front of the home on the corner of Rio Vista Drive. The lot is very long, not wide, and the design would fit accordingly. He felt that it is a very good location that is visible from the street.

Mr. Shultz said that there had been a lot of negative comments about the skate park and the City

should not discriminate against the kids who like to skate. He said that there are many other recreation facilities in that area and nobody seems to have a problem. He felt that there is plenty of land to accommodate the skate park, there are restrooms at Peavy-Dove Park and the only question is raising the elevation of the site.

Former Councilman Eric Elza of 1256 Ibis Avenue asked if the residents who live adjacent to the proposed sites had been notified. He felt that the neighbors of the two areas that are being considered should be notified. Mr. Elza suggested tabling the item until the residents are notified. He said that questions about lighting, park hours and admission must be answered and a better location would be at an existing park that has facilities. He is not opposed to the skate park, but the elected officials have an obligation to notify the people that a site is being considered in their neighborhood.

Vice Mayor Espino clarified that there had been ongoing discussions about viable sites, and nothing had been approved at this point. He added that residents had given their opinions regarding Stafford Park and the site behind the Library. It seems that Rio Vista and Ludlam are the two sites being considered and it is still early in the process.

Mayor Bain explained that Council will direct the Administration to get a survey of the two sites.

Councilwoman Ator stated that the City Attorney recommended getting surveys for the two sites because they are City property, which she approves of because it should be done anyway.

Mayor Bain suggested that the kids who are interested in the skate park could give their input regarding the park design.

In response to Mr. Elza's comment, Councilwoman Ator clarified that the Mayor had made it clear that the residents would be notified at the appropriate time.

Assistant City Manager Gorland explained that a door hanger was ready to be distributed to the residents before the survey is conducted.

Seth Levy of 5940 S.W. 45th Street stated that he had worked in the skate board park industry for approximately ten years and he heads the committee for the City of Miami. The parks are normally design-build based upon the bid results and the company that is selected meets with local skate boarders to work on the design. The size is not that important as long as it is not too narrow. He added that according to Florida Statutes there is no liability for skateboarding as long as there is public access.

Michael Gavila of 684 Morningside Drive likes the Rio Vista site because of the location, which is close to the convenience store and Roman's Pizza.

Mayor Bain requested a conceptual drawing for the layout of the proposed skate park before distributing the door hangers. He added that it should include a noise barrier and the proposed colors for the park.

Council directed the Administration to conduct surveys of the two City owned sites.

To answer City Attorney Seiden's question, Assistant City Manager Gorland explained that the door hangers will explain the process.

City Attorney Seiden explained that it should be clear that no site had been selected and there will be a meeting to discuss the proposed location at the appropriate time.

10F) Recommendation that Council Award a Bid to Superior Park Systems, Utilizing Miami-Dade County Bid #4907-3/13-1, in the Amount of \$19,486.35, Pursuant to Section 31.11 (E) (5) of the City Code to Upgrade the Mulch in our Three Tot Lots

City Manager Borgmann read the title of the award. He stated that Councilwoman Ator had pointed out that there was a need for the mulch and the Administration agrees. The price quote includes subsurface preparation, borders and certified mulch, which is important for safety.

To answer the Mayor's question, City Manager Borgmann clarified that funds were not budgeted, but there is enough in the Recreation salary line item to cover the expenditure as the Director's position was vacant for the first three months of the fiscal year.

Councilwoman Ator added that the playgrounds are very dirty, especially the Prince Field Tot-lot.

Councilwoman Ator moved the item. Councilman Lob seconded the motion which was carried 4-0 on roll call vote.

10G) Recommendation that Council Update our City's Seal

City Manager Borgmann recommended updating the City's seal because it refers to Dade County and the seals of the newly incorporated cities do not mention the County. Technically, the County is Miami-Dade and Council has the option to eliminate the reference to the County or upgrade the seal to read Miami-Dade County.

Councilwoman Ator asked what would be the benefit of leaving off the reference to Miami-Dade County.

City Manager Borgmann responded that he was not aware of any benefit or detriment; some cities do not include the County.

To answer the Mayor's question, City Manager Borgmann explained that both of the proposed seals are new. The existing seal is typically yellow and blue and the new seal would be very colorful with or without the reference to Miami-Dade County.

Councilwoman Ator moved to approve Sketch 1 eliminating the reference to Miami-Dade

County. Councilman Lob seconded the motion which was carried 4-0 on roll call vote.

10H) Field Restroom Operating Hours

City Manager Borgmann stated that there had been ongoing discussions for many years regarding the restroom operating hours at the fields. Other cities were surveyed to determine how they handle the situation and since budgets are tight with less recreation personnel they are moving toward having restrooms open only when there are sponsored events. There is a history of bad experiences when restrooms are unattended in public parks.

Assistant City Manager Gorland read his memorandum that was included in the agenda packet. He explained that the restrooms are always available during organized events when recreation personnel are present, although they are not available at other times for people who use the Tot-lot. There are safety concerns and high costs associated with monitoring the restrooms. This policy is mirrored by most Miami-Dade County communities for their public park restrooms.

Assistant City Manager Gorland explained that even when the restrooms are monitored there had been occasional vandalism problems. He is hopeful that the issue will be resolved when the new Community Center is open. He visits the Tot-lots with his 7-year old daughter and using the Recreation Center facility was never an issue.

Assistant City Manager Gorland stated that while the Administration does not recommend opening unattended restrooms there are a few young adults who will work for minimum wage on the weekends should Council request that the restrooms remain open. He said that a schedule could be developed for opening the restrooms to fit the budget. Since the senior citizens use the restroom at Prince Field it would have to be cleaned and ready on Sunday night so that it is ready on Monday. He estimated that the cost to clean the three restrooms would cost \$20,000 annually if they are kept open and supervised eight hours a day.

Councilman Lob explained that he received telephone calls regarding the availability of the restrooms on a day when there was no school and the Recreation Center was open. He was told that there were quite a few people at the Tot-lot at that time. He understands why the restrooms are closed, but he wanted the matter to be addressed so that people know why they are closed.

Councilwoman Ator stated that she previously brought up the issue when the gates were closed to the Tot-lot and normally the restrooms are open when the park is open. She also questioned the time the gates were closed because the posted sign indicates that it is open from sunup to sundown.

Assistant City Manager Gorland explained that one employee opened the gate and left, which was changed. The sign indicates the closing is 7:00 p.m. and it was being closed at 6:00 p.m., which was corrected. There has never been a policy for leaving the restrooms open without being attended. On Sundays and holidays when there is staff available they open the gates and return to the Recreation Center.

Mayor Bain explained the concern that was raised was that the restrooms were closed on a school holiday and when the Community Center is finished there will be Staff available to address the issue. He would like the policy to remain the same with exceptions upon advance notice if the facilities are needed for a special event.

Assistant City Manager Gorland assured the Mayor that the restrooms would be open during organized events.

Vice Mayor Espino requested a cost analysis for opening the restrooms on certain days.

Mayor Bain reiterated that everything should fall into place when the new Community Center is open.

10I) Recommendation that Council Approve an Expenditure of \$2,500 to Dana Art Diva, Inc. (Dana Estabrook) to Two Identical “Welcome” Signs, Each at \$1,250, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code

City Manager Borgmann stated that the new scoreboards at the Community Center could not be placed back-to-back because of the location of the drop curtains that are used to divide certain areas of the gym. This caused an unsightly view of the back of the scoreboards and the suggestion is to place a sign on the back welcoming people to the facility.

Dana Estabrook who is one of the selected artists for the artwork in the gym was asked to prepare a design and cost estimate, according to Mr. Borgmann. The design, as shown in the agenda packet, is approximately five feet high and nine feet wide and would cost \$1,250.00 each for a total of \$2,500.00. Although she is not a sole source provider, the Administration is recommending approval per 31.11 (E) (6) (c) of the City Code so that everything is ready for the grand opening and the artwork style ties together.

Councilwoman Ator stated that it is a good idea to welcome people to the City of Miami Springs. She pointed out that there is a lot of white space in the design because of the way the logo is placed. She suggested moving the logo to one side next to Miami Springs and eliminating Miami Springs on the top. She asked Dana Estabrook to provide a couple of sketches based on her comments.

Mayor Bain thought that the design was beautiful without any changes.

Council **requested** additional sketches from Dana Art Diva, Inc. (Dana Estabrook) for the “Welcome” signs. To be rescheduled for approval at the next meeting.

10J) Report Regarding the 2010 Census

City Manager Borgmann stated that the City has hosted training sessions for the Census Bureau and

the federal government's 2010 official census is a little more than one month away. While many feel that the Census is an unwelcome look into our lives and homes, there are many good reasons that we should encourage residents to respond promptly and accurately when they receive their Census survey.

The most important reason for an accurate Census is that it is the basis for eligibility for many programs that originate with the federal and state governments, according to City Manager Borgmann. Many programs have their distributions based on a per capita basis, so every person is important.

City Manager Borgmann distributed literature that was received from the federal government, including a "frequently asked questions" or FAQ document that may be helpful as people begin asking questions. The questionnaires will be mailed out shortly. The information should be posted on the City website and Channel 77, along with a link to the official website for the Census, which is www.2010census.gov

Mayor Bain added that he met with the Census representative for Miami Springs and anyone who is interested in applying for a job can do so within the next week.

Vice Mayor Espino clarified that the representative's name is Fabian Perez Crespo. He offered to provide his contact information.

11. Other Business:

11A) Recommendation that Council Approve an Expenditure of \$2,000.00 Requested by the Miami Springs Optimist Club to Help Support the Miami Springs/Virginia Gardens Optimist Soccer Program

City Manager Borgmann stated that this item is a recommendation to approve an expenditure of \$2,000 requested by the Miami Springs Optimist Club to help support the Miami Springs/Virginia Gardens Optimist soccer program. He referred to a memorandum from Assistant City Manager Gorland recommending approval.

Mayor Bain clarified that the expense covers the cost of the banquet food for the soccer program Closing Ceremony, which is normally held the first or second week in April.

Councilman Lob explained that the banquet expense had been a donation to the Optimist Club in past years, but due to the economy they have had to pay for the last two years. The Village of Virginia Gardens supports the program and it is good for Miami Springs to help.

Assistant City Manager Gorland added that it is a great program, including awards, food and bounce houses. The kids wear the uniforms to represent their teams and it is very well attended.

Councilman Lob moved the item. Vice Mayor Espino seconded the motion which was carried

4-0 on roll call vote.

Nikki Jester of 892 Lake Drive stated that in honor of Woman’s Heart Month and Breast Cancer Awareness, the Miami Springs Woman’s Club has been challenged by the federation to tie it together with their Fine Arts Day. She said that the winning entries of arts & crafts would be judged the next day at the District 11 annual competition and the blue ribbon winners will advance to the State convention in Orlando. The challenge was for each club organization to decorate a size 36C padded bra to promote breast cancer awareness and their idea was to use the City’s new motto “At the Heart of it All!”

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Sidewalk Cleaning

City Manager Borgmann stated that Public Works Director Williams obtained a cost estimate to pressure clean the Downtown sidewalks. Cleaning the first four blocks would cost approximately \$4,500.00 and any additional work is estimated to cost \$11.00 per square foot.

Mayor Bain requested an agenda item for the next meeting.

Community Center Grant

City Manager Borgmann reported that an e-mail was received from the State many months ago and the Administration has been trying to resolve an issue regarding the \$250,000 grant for the hurricane shelter aspect of the new Community Center. The grant document was very lengthy and included many physical requirements, including the elevation, etc. The slab had already been poured by the time that part of the documentation was addressed and there was no way to raise the elevation of the building.

Project Manager Bill Sprague sent a letter to the State and a response was finally received saying that everything is okay. They asked for a contingency plan for a diesel powered generator that could be put in place of the natural gas generator for the building. This has been done and there are two

generators with switches in four locations and a switch could easily be added. The items they addressed are fairly easy to do and will not jeopardize the grant funding.

Community Center Progress

City Manager Borgmann reported that he sent an e-mail with photographs to Council to show the progress of the Community Center construction. The gym floor will be completely nailed down by Tuesday, February 23rd and they will begin sanding on Wednesday, February 24th. After it is cleaned, the lines will be painted on the courts before sealing it with a clear coating. Everything else is moving along on schedule, including ceiling tiles, etc. and he is pleased with the progress. An opening date will be discussed this week.

Swimming Pool

City Manager Borgmann reported that the swimming pool repairs were complete and it will be filled next week.

Baseball Sign-ups

City Manager Borgmann announced that baseball sign-ups are well underway.

Cancer Relay for Life

City Manager Borgmann reminded everyone of the Cancer Relay for Life on Saturday, February 27th, from 9:00 a.m. to 9:00 p.m. on the Circle.

Community Center Grant

City Manager Borgmann stated that the City received a check for the first Federal grant through the efforts of Representative Lincoln Diaz-Balart for \$100,000, less 1% for administrative charges, totaling \$99,000.

Prayers

City Manager Borgmann asked to extend prayers for Aldo Bartolone's daughter-in-law who is battling cancer.

12C) City Council

Baseball Opening Ceremony

Councilwoman Ator announced that the Opening Ceremony for the Baseball program will take place on Saturday, March 13th.

E-mail Server

Councilwoman Ator stated that she had not received any e-mails since the switch to the new server and she cannot access them on-line either.

City Logos

Councilwoman Ator reported that she had not been able to download the City logos from the website. She would also like the new City seal to be available on the same page.

Architectural Review Board

Councilwoman Ator stated that the Architectural Review Board held a Special meeting and they are anticipating bringing their recommendations to Council at the first meeting in March based on their virtual tour of the City.

Cancer Relay for Life

Councilwoman Ator reported that the Relay for Life will be videotaped for use in the future. The National Cancer Society will be present for the event. She would like Public Works to move some of the banners from Westward Drive to the Circle because this will be the area in the video.

Miami-Dade League of Cities Meeting

Councilwoman Ator stated that Vice Mayor Espino and Councilman Best were missed at the Miami-Dade County League of Cities Annual Dinner at the Parrot Jungle Island.

Valentine's Day Concert

Councilman Lob was glad that the Valentine's Day jazz concert went well without any incidents.

Valentine's Day Concert

Vice Mayor Espino stated that the Valentine's Day jazz concert was fantastic. He felt that jazz singer Nicole Henry did an amazing job, in spite of the cold weather. He added that the new banners look phenomenal.

Curtiss Mansion Restoration

Vice Mayor Espino reported that the Curtiss Mansion work is progressing, the color is being finalized and it will be painted within the next two weeks.

Capital Improvement Signs

Vice Mayor Espino stated that it was good to see the signage installed on Curtiss Parkway for the bike path lighting project. He suggested that there should be a template for the capital improvement signage like other cities have, which is paid for by the contractor.

Sidewalks

Vice Mayor Espino said that there were many compliments about the sidewalks that are going up. He does not know if the work will continue all the way to Westward Drive.

City Manager Borgmann reported that the contractor is finishing Westward Drive and they are getting to the Baptist and Presbyterian Church locations. He would suggest not addressing these areas because if the sidewalks are expanded it will affect the curb cuts. He said that there might be other locations so that the contract can be fulfilled.

Vice Mayor Espino agreed with the City Manager's suggestion.

Councilwoman Ator asked how that would impact the settlement agreement with the disability claim.

City Manager Borgmann said that the disability claim does not relate to Downtown, but to the accessibility to the bike paths on Royal Poinciana and Ludlam.

City Attorney Seiden confirmed that the settlement did not have anything to do with Downtown.

Councilwoman Ator asked how the decision was made to install yellow tiles and if anyone checked on the requirement.

City Manager Borgmann stated that there is no requirement for a certain color.

Cancer Relay for Life

Vice Mayor Espino stated that the City has a very good reputation for its Cancer Relay for Life. It is being filmed and the video will be seen throughout the entire country. The City was selected due to the success and it is a huge honor that could put Miami Springs on the map.

Clay Pit Clean-up

Vice Mayor Espino reported that he has received calls from residents who live around the Clay Pit area asking how much longer the work will continue. He would like to distribute information to residents living on Lenape because there are many trucks on that street.

Councilwoman Ator suggested placing the information on the website.

Sanitation Billing

Vice Mayor Espino referred to articles he read about placing the trash collection bill on the tax bill, which is a nationwide issue. He said that it is a contentious issue and he would like the Administration to look into other alternatives that are less intrusive. Some municipalities are outsourcing collection or creating different enforcement mechanisms, or ordinances that deal with delinquent accounts and increase revenue without having to place the charges on the tax bill.

Building Code Revisions

Mayor Bain stated that he and City Attorney Seiden discussed the Building Codes and created a list of items to address in March or April.

Employee Benefits

Mayor Bain announced that the Administration is preparing to address the employee pay scale that was previously discussed during the budget process. He explained that a special Workshop meeting would be held to address the issues before the next budget.

Miami-Dade County League of Cities Meeting

Mayor Bain said that he appreciated the Miami-Dade County League of Cities Annual meeting. He had a great time with Councilwoman Ator, Councilman Lob and his wife. He complimented the wives of City Manager Borgmann and Assistant City Manager Gorland.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:02 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 3/8/2010.

Transcribed by Suzanne S. Hitaffer.